

**REMARKS**

Claims 1-5, 8, 10-13, 15-23, 25-27, 29-34, 36-42, are pending. Claim 35 was previously withdrawn from consideration. Claims 3, 19, 22, and 26 are objected to due to informalities. Applicants have amended Claims 1-5, 8, 10-13, 15-23, 25-27, 29-34, 36-39, and 42; have canceled Claim 41; and have added new Claim 43. Support for the amendments to Claims 1, 17, 31, 34, and new Claim 43 can be found, for example, in Application paras. [0039], [0040], [0043], and throughout. Support for the amendments to Claims 2 and 18 can be found, for example, in para. [0025], and throughout. Support for the amendments to Claims 3 and 19 can be found, for example, in paras. [0039], and [0042]. Support for the amendments to Claims 4 and 20 can be found, for example, in para. [0027]. Support for the amendments to Claims 5, 22, and 32 can be found, for example, in para. [0010]. Support for the amendments to Claims 8 and 25 can be found, for example, in para. [0010]. Support for the amendments to Claims 10 and 23 can be found, for example, in para. [0044]. Support for the amendments to Claims 11 and 26 can be found, for example, in paras. [0034] and [0035]. Support for the amendments to Claims 12 and 21 can be found, for example, in Claims 16, 29 and/or 30. Support for the amendments to Claims 13 and 27 can be found, for example, in para. [0043]. Support for the amendments to Claims 15, 29, and 33 can be found, for example, in para. [0035]. Support for the amendments to Claims 16 and 30 can be found, for example, in para. [0044]. Support for the amendments to Claims 36 and 39 can be found, for example, in para. [0044]. Support for the amendments to Claim 38 can be found, for example, in para. [0035]. Support for the amendments to Claim 42 can be found, for example, in the claim itself and in paras. [0034]-[0035].

Applicants submit that these amendments and corrections herein are made without prejudice as to patentability, including the doctrine of equivalents, and not to overcome prior art, and that no new matter has been added. Although Applicants do not believe any fees are required, the Director is, however, hereby authorized to charge or credit any fees to Bracewell & Giuliani LLP, Deposit Account No. 50-0259 (Attorney Docket No. 0408RF.045828).

**Claims 1 and 31 Include Patentable Subject Matter**

Claims 1 and 31 were rejected under 35 U.S.C. § 101 as reciting a method claim that is not tied to a statutory class and/or does not transform underlying subject matter (being software per se). Although Applicants respectfully disagree, Applicants have amended the claims to feature the automated software agent stored in memory accessible to a processing module. Accordingly, the claims meet both the machine and the transformation test identified in Bilski.

**Claims 1-5, 8, 10-13, 15-23, 25-27, 29-34, 36-41 and 42-43 are Not Anticipated or Obvious**

Claims 1-5, 10-12, 15-22, 26, 29-32, 34, 36, 38, 39, and 41-42 were rejected under 35 U.S.C. § 102(e) as being taught by Schmugar et al., U.S. Patent No. 6,654,751 ("Schmugar"), and Claims 8, 13, 23, 25, 27, and 33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schmugar in view of Aaron, U.S. Patent Application No. 2005/0015382, and Claims 37 and 40 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schmugar in view of Anwar et al., U.S. Patent Application No. 2001/0047355 ("Anwar"). Applicants respectfully traverse the rejection for the reasons provided below.

Schmugar, the primary reference, describes a virus information data collector or a virus information patrol (VIP) system (100) (premised in the Office Action as being an automated software agent) that monitors virus information repositories (typically in the form of web pages), which provides system administrators detailed description information or news information about viruses. Schmugar further describes accessing virus description data (premised in the Office Action to being pertinent inputs) and assigning a type-category to new virus description data (premised in the Office Action as teaching contextually mapping pertinent inputs to a dynamic reference repository, to a specified capability).

That is, Applicants understand that it is premised in the Office Action that the assigning of the virus description data to the database table shown in Schmugar, FIG. 11, teaches the prior featured contextually mapping step/operation. Applicants respectfully wish to point out that the "contextually mapping" claim element was of "pertinent inputs" (to a dynamic reference repository) to [satisfy] a "specified [enterprise] capability." Applicants have nevertheless made

amendments to clarify this feature and/or included other novel and nonobvious features in the independent claims.

Applicants further understand that it is premised that Aaron teaches extracting from communications addressed to the Aaron system "pertinent inputs" to add to the knowledge of a repository, and that it is premised that Anwar teaches dynamic updating of a "search" responsive to search habits of the user. Applicants respectfully submit that the e-mails identified in Aaron as being directed to the Aaron system, in contrast, are understood to be a database query request (in natural language form) including search terms used to query a database to thereby retrieve information from the database/repository, and not "pertinent inputs" to the database/repository, itself, to add to the collective knowledge stored therein. Further, Applicants respectfully submit that Anwar describes updating search *results*, based on search habits, and not a current or next search, itself.

Accordingly, Applicants respectfully submit that neither of the cited patent documents disclose, teach, or suggest the featured steps/operations or processing module to perform the featured steps/operations. Reconsideration, therefore, is respectfully requested. Nevertheless, to ensure completeness, a more detailed discussion follows:

Independent Claims 1, 17, and 31, and dependent Claim 43, at least in part, have been amended to further feature contextually map the pertinent inputs required to support a desired enterprise capability, from the plurality of information resources to the dynamic reference repository. In accordance with the above discussion, Applicants respectfully submit that such feature is not disclosed, taught, or suggested in the cited documents.

Further, Independent Claims 1, 17, 31, and 34, at least in part, have been amended to further feature: an automated identification of enterprise information requirements and enterprise technology requirements based on the desired enterprise capability to thereby identify and populate the dynamic reference repository with pertinent inputs required to support the desired enterprise capability. Applicants respectfully further submit that such feature is also not disclosed, taught, or suggested in the cited documents.

Correspondingly, Applicants respectfully submit that Independent Claims 1, 17, 31, and 34, along with their dependent claims, have been shown to be allowable over the cited patent documents.

Further, the dependent claims include, or have been amended to include, other novel/nonobvious features.

Claims 2 and 18, for example, at least in part, have been amended to further feature a step of, or processing module to map an enterprise requirement received from a procuring entity and a plurality of pertinent technologies to the desired capability to allow users to evaluate a plurality of technical solutions to the enterprise requirement. Applicants respectfully submit that such feature is not disclosed, taught, or suggested by the cited documents.

Claims 3 and 19, for example, at least in part, have been amended to further feature the steps of, or processing module to: dynamically update identified enterprise requirements responsive to receiving updates to source domain information, operational requirements, system requirements, technical requirements, and standards requirements; dynamically update identified enterprise technologies responsive to receiving updates to basic science, technological theory, technological solutions, and technological sources; and dynamically update identified enterprise subject matter expertise responsive to receiving updates to expert operational experience, systems experience, and technical experience. Applicants respectfully submit that such features are not disclosed, taught, or suggested by the cited documents.

Claims 4 and 20, for example, at least in part, have been amended to further feature the steps of, or a processing module to analyze and draw logical linkages between repository documents, technology and capability assessments, and [human] subject matter expert inputs. Applicants respectfully submit that such features are not disclosed, taught, or suggested by the cited documents.

Claims 5, 22, and 32, for example, at least in part, have been amended to further feature a customizable agent further comprising at least one utility configured to initiate [e.g., two-way] contact with a [human] SME with an online communication and to conduct a SME review or assessment of a technology or capability, the online communication including a link to an interactive enterprise website associated with the dynamic reference repository to conduct the

SME reviews or assessment, i.e., two-way exchange between agent/processing module and SME (e.g., notification followed by link back to enterprise-associated website). Applicants respectfully submit that a disclosure of accessing data from various websites providing updates to virus description data and news would not be recognized as a disclosure, teaching, or suggestion of such claimed feature.

Claims 8 and 25, for example, at least in part, have been amended to feature e-mails containing subject matter expert assessments addressed to the dynamic reference repository. Although the "software companies [providing the virus information server Web pages]" were premised in the Office Action as teaching the existence of "subject matter experts (SME)," the claim has been amended to feature e-mails [specifically] addressed to the dynamic reference repository containing subject matter expert assessments--a significant structural difference. Further, the e-mails identified in Aaron are understood to be a database query request including search terms used to query the database to thereby retrieve information from the database/repository--also a significant structural difference. Additionally, Claims 8 and 25, at least in part, have been amended to further feature an automated software agent including a utility to perform the step of generating a subject matter expert (SME) request for information required to produce the determined pertinent inputs to thereby obtain the required pertinent inputs required to satisfy the desired [*enterprise*] *capability*. Applicants respectfully submit that such feature is not disclosed, taught, or suggested by the cited documents. Further, Applicants note that the SME is described in the application specification as being a *human* expert and not a website repository.

Claims 10 and 23, for example, at least in part, have been amended to further feature step of, or processing module/customizable agent to perform automated updating of a next customizable agent search dynamically for a user responsive to a user refusing undesired information returned during a current customizable agent search. Applicants respectfully submit that such feature is not disclosed, taught, or suggested by the cited documents. Although Anwar was cited as providing a teaching of "updating a search for a user," Anwar describes updating search *results*. In contrast, the claimed feature provides for dynamically updating the search, itself, so as to optimize the results that come back to the user.

Claims 11, 26, and 42, for example, at least in part, have been amended to feature an automated software agent and/or processing module configured to: recognize a global replacement of a name of a data item in one of the plurality of information resources, and redefine the name of the data item responsive to the *global replacement* in the name of the data item in the respective information resource to retrieve pertinent articles, knowledge, or pieces of information containing the data item previously referred to by a different name in the respective information resource. Applicants respectfully submit that such features are not disclosed, taught, or suggested by the cited documents. Although Schmugar is identified in the Office Action as teaching the use of aliases/variants, the claims are directed to a global replacement of a term, and not alternative use of an alias. An example featuring these claim elements was provided in para. [0044] of the application whereby people in the art could start using a different name for a "particular type of lens," ostensibly to the exclusion of the other. In an enterprise-level database containing widely varying types of information, as opposed to specific virus information only, an ability to recognize a complete substitution of a name (over time) can provide substantial benefits, which were also not disclosed, taught, or suggested by the cited documents.

Claims 13 and 27, for example, at least in part, have been amended to further feature a customizable agent identifying, or configured to identify documents required to satisfy a desired enterprise capability. Applicants respectfully submit that the retrieval of new virus descriptions/news is not a disclosure or teaching of identifying specific documents required to satisfy a desired capability of an enterprise, but rather, arguably an identification of the capability of a virus. Accordingly, such feature is not disclosed, taught, or suggested by the cited documents.

Claims 15, 29, and 33, for example, at least in part, have been amended to feature a step of, or program module configured to contextually relate a term separately with each associated different information source to allow the term to be differentiated and *properly used*; and to further feature a step of, or program module configured to interpret the meaning of the term differently for at least two different information sources to differentiate each meaning of the term relative to the respective information source to thereby prevent returning non-pertinent inputs to a search query including the term. An example was provided in paragraph [0035] of the application, whereby an acronym such as "TCS" could mean "tactical control station" in one

reference and "time critical strike" in another. Although Schmugar is identified in the Office Action as teaching linking the virus description data with a company name and with metadata, Applicants respectfully submit that such would not be a *contextual relationship* (i.e., *relative meaning*) of a specific term to different information sources to allow for proper usage, but rather an identification of the source of the virus description data or news. Accordingly, Applicants respectfully submit that such features are not disclosed, taught, or suggested by the cited documents.

Claims 16 and 30, for example, at least in part, have been amended to feature an automated software agent performing the steps/operations of recognizing a global replacement of a name of a data item in one of the plurality of information resources from a first name during an earlier first time period to a second name during a later second time period; and retrieving a set of same articles, knowledge, or pieces of information responsive to a plurality of searches by the automated software agent, each based on a separate one of a corresponding plurality of different keyword names referring to a same data item, the data item being referred to by the first name identifying the data item during the earlier first time period and a second name identifying the data item during the later second time period. Applicants respectfully submit that such features are not disclosed, taught, or suggested by the cited documents. As described with respect to Claims 11 and 26, although Schmugar is identified in the Office Action as teaching the use of aliases/variants, the claims are directed to a *global replacement* of a term, and not use of an alias/variant. As also described with respect to Claims 11 and 26, an example featuring these claim elements was provided in para. [0044] of the application whereby people in the art start using a different name for a "particular type of lens," ostensibly to the exclusion of the other previous name.

Claims 36 and 39, for example, at least in part, have been amended to feature that the notification of the update of the database within the dynamic reference repository is responsive to a list of keywords, and is different from that of each other of the plurality of users to thereby provide selective individual user-based notification. Applicants respectfully submit that such features are not disclosed, taught, or suggested by the cited documents. Although Schmugar describes providing notification based on search criteria in the form of sorting options (see, Schmugar, col. 6, lines 38-41), Applicants believe that the same data will nevertheless be

provided to each user, just in a different sort order. In an enterprise-level database, individual subscribers would be overwhelmed if each subscriber were notified about each database update, as Applicants believe would be the case with Schmugar.

Claims 37 and 40, for example, at least in part, feature the steps of, or processing module to dynamically update a search for a user searching the dynamic reference repository responsive to search habits of the user to optimize search results for the user; and to update a next search responsive to user input rejecting gathered information gathered during a first search to optimize search results for the user. Applicants respectfully submit that such features are not disclosed, taught, or suggested by the cited documents. Although Anwar was cited as providing a teaching of "updating a search for a user," Anwar describes updating search *results*. In contrast, the first claim elements provides for dynamically updating the search, itself, so as to optimize the results that come back to the user. Further in contrast, the second claim element provides for updating the next search specifically in response to rejecting certain gathered information. Applicants respectfully submit that such specific requirement does not fall under the definition of "search habits" (which are not individually described in Anwar), and even if it did, such genus would not teach such species.

Claim 38, for example, at least in part, has been amended to feature a processing module configured to differentiate a first meaning behind the term with respect to its associated information source and a second meaning behind the term with respect to another information source; and to redefine contextually a *definition* of the *term* underlying the at least one database responsive to one or more identified pertinent inputs identifying a change in a *usage* of the term. Applicants respectfully submit that the cited documents do not provide such disclosure for the reasons provided, for example, with respect to Claims 15, 29, and 33. Further, Applicants respectfully submit that a teaching of providing an updated virus description or news would not be the equivalent of a teaching of how to handle a change in the meaning of the words used to describe the virus.

Accordingly, Applicants respectfully submit that neither of the cited patent documents disclose, teach, or suggest the featured steps/operations or processing module to perform the featured steps/operations. Reconsideration, therefore, is respectfully requested.



In commenting upon the references and in order to facilitate a better understanding of the differences that are expressed in the claims, certain details of distinction between the cited documents and the claimed embodiments of the present invention have been mentioned, even though such differences do not appear in all of the claims. It is not intended by mentioning any such unclaimed distinctions to create any implied limitations in the claims. Not all of the distinctions between the cited documents and the claimed embodiments of Applicants' present invention have been made by Applicants. For the foregoing reasons, Applicants reserve the right to submit additional evidence showing the distinctions between claimed embodiments of Applicants' invention to be nonobvious in view of the cited documents.


The foregoing remarks are intended to assist the Examiner in re-examining the application and in the course of explanation may employ shortened or more specific or variant descriptions of some of the claim language. Such descriptions are not intended to limit the scope of the claims; the actual claim language should be considered in each case. Furthermore, the remarks are not to be considered to be exhaustive of the facets of the claimed embodiments of the invention that render it patentable, being only examples of certain advantageous features and differences that Applicants' attorney chooses to mention at this time.

### CONCLUSION

In view of the amendments and remarks set forth herein, Applicants respectfully submit that the Application is in condition for allowance and issue. Accordingly, the issuance of a Notice of Allowance in due course is respectfully requested.

Respectfully submitted,

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